

**Excerpts for General Licenses**

EFFECTIVE DATE            NEBRASKA HEALTH AND HUMAN SERVICES  
JULY 22, 2001                            REGULATION AND LICENSURE            180 NAC 18

TITLE 180            CONTROL OF RADIATION

CHAPTER 18        FEES FOR CERTIFICATES OF REGISTRATION, RADIOACTIVE MATERIAL(S)  
                             LICENSES, ENVIRONMENTAL SURVEILLANCE, EMERGENCY RESPONSE  
                             AND OTHER REGULATORY SERVICES.

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### TITLE 180              CONTROL OF RADIATION

#### CHAPTER 18              FEES FOR CERTIFICATES OF REGISTRATION, RADIOACTIVE    MATERIAL(S) LICENSES, ENVIRONMENTAL SURVEILLANCE,    EMERGENCY RESPONSE AND OTHER REGULATORY SERVICES

##### 18-001 SCOPE AND AUTHORITY:

18-001.01 This chapter establishes the fees for licensing, registration, environmental surveillance and implementation, emergency planning, emergency response and implementation, and other regulatory services and provide for their payment. The regulations are authorized by and implement the Nebraska Radiation Control Act, Neb. Stat. Rev. sections 71-3501 to 3519.

18-001.02 Except as otherwise specifically provided, the rules and requirements in this chapter apply to any person who is

1.        An applicant for, or holder of:
  - a.        A radioactive material license issued pursuant to 180 NAC 3, 5, 7, 11, 12, or 16; or

##### 18-002 DEFINITIONS: For the purposes of 180 NAC 18, the following definitions apply:

Carrier means any common carrier, contract carrier, private carrier, railway freight carrier or railway express carrier handling, storing or transporting radioactive material.

Emergency Planning, Emergency Response and Implementation means the development and application of those capabilities necessary for the protection of the public and the environment from the effects of an accidental or uncontrolled exposure dose or release of radioactive materials, including the equipping, training and periodic retraining of emergency response personnel.

Facility means any facility other than that defined in this subsection.

Shipper means a person who packages the radioactive material and presents the package for transport.

##### 18-003 EXEMPTIONS

18-003.01 No application or annual fee shall be required for any common carrier, contract carrier, private carrier, railway freight carrier, or railway express carrier handling, storing or transporting any of the materials described in the Radiation Control Act in the ordinary course of such carrier's business.

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18-003.02 No fee shall be required for the Department of Health and Human Services Regulation and Licensure.

### 18-004 PAYMENT OF FEES

18-004.01 Application fees: Each application for a license or certificate of registration for which a fee is prescribed shall be accompanied by a non-refundable fee equal to the appropriate annual fee, except as otherwise specified in 180 NAC 18 or that an application for a license covering more than one fee category shall be accompanied by the prescribed fee for the highest fee category.

1. An application for a certificate of registration shall be accompanied by the base fee and the total fee for all applicable categories.
2. No application will be accepted for filing or processing prior to full fee payment, as specified, and the application will be returned to the applicant.
3. All application fees will be charged irrespective of the Agency's disposition of the application or a withdrawal of the application.

### 18-004.02 Annual Fees for Licenses, and Certificates of Registration

1. A non-refundable fee, pursuant to 180 NAC 18-005, 18-006, 18-007 or 18-008 shall be paid annually for each radioactive material license and for each certificate of registration or radioactive material certificate of registration, which ever is applicable, is required.
  - a. The fee shall be paid in full each year on or before the last day of the expiration anniversary month of the license or certificate of registration.<sup>1</sup>
2. In the case of a single license which authorizes more than one category of use, only one fee shall be paid.
3. A non-refundable fee, pursuant to 180 NAC 18-005 or 18-008, shall be paid annually for each radioactive material license and/or certificate of registration, which ever is applicable, for radiation services and/or servicing.
  - a. The fee shall be paid in full each year on or before the last day of the expiration (anniversary) month of the certificate of registration.<sup>2</sup>
    - (1) In the case of a single registration which authorizes more than one category of use, the applicable fee for each category shall be paid.

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<sup>1</sup>Example: If the license or certificate of registration expires on June 30, 1992, annual fees are due on or before June 30, of each year.

<sup>2</sup>Ibid. p. 18-3

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5. An application for an amendment to a license or certificate of registration which results in a change to a category with a higher fee shall result in a fee being charged equal to the prorated difference between the fee for the current category and the one to which the amended license or certificate will escalate.
  - a. The prorated costs shall be based on monthly intervals and will be charged from the first day of the month the amendment is effective until the end of the current billing period.<sup>3</sup>
  - b. The agency will bill the licensee or registrant.
  - c. The replacement of part(s) for an existing radiation machine will not result in an additional fee.

28. General license which requires registration.	\$70.00
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18-012.01 In any case where the agency finds that an applicant for a license or certificate of registration has failed to pay the fee prescribed in this section, the Agency will not process that application until such fee is paid.

18-012.03 In any case where the Agency finds that a fixed nuclear facility has failed to pay fees for environmental surveillance and/or emergency planning, emergency response and implementation pursuant to contract within 90 days following date of invoice, the Agency may issue an order to show cause why the services should not be terminated for breach of contract.

18-12.04 In the event the Agency has performed services for or expended funds on behalf of a person who has not reimbursed the Agency after demand, then the Agency may take appropriate legal action to recover amounts.

<sup>3</sup>Example: If a waste processing license amendment to change the licensee's classification from Class A to Class B becomes effective July 1, 1985, and the expiration month of the license is December, the licensee will be billed.